



AGENDA – January 4, 2016

6:00 Workshop

7:00 p.m. City Council Meeting
Long Beach City Hall
115 Bolstad Avenue West

6:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

WS 16-01	3rd Street Property Owners Meeting – TAB A
WS 16-02	Future Workshop Schedule – TAB B

7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Phillips, Council Member Linhart, Council Member Caldwell,
And roll call	Council Member Murry, Council Member Hanson.

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

CONSENT AGENDA – TAB C

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, December 21, 2015 City Council Meeting.
- Payment Approval List for Warrant Registers 55979-56004 & 79108-79139 for \$165,692.58
- **AB 16-01 – TIB Agreement – TAB D**

BUSINESS

- **AB 16-02 – Mayor Pro Tem – TAB E**
- **AB 16-03 – Council Member Replacement process - TAB F**
- **AB 16-04 – Council Rules – TAB G**

ORAL REPORTS

•	City Council	Mayor	City Administrator	Department Heads
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CORRESPONDENCE AND WRITTEN REPORTS – TAB H

- December 2015 Sales and Lodging Tax Reports

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop.
January 19, 2016, February 1, 2016, February 16, 2016, March 7, 2016

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Administrator at the meeting.

TAB - A



**CITY COUNCIL
WORKSHOP BILL
WS 16-01**

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION		
SUBJECT: Dune to Pond Trail	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Events Coordinator	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: N/A	Water/Wastewater Supervisor	
SUMMARY STATEMENT: Staff to update Council on project, adjacent property owners have been notified and may be in attendance. Conceptual alignment map attached.		

TAB - B



**CITY COUNCIL
WORKSHOP BILL
WS 16-02**

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION

SUBJECT: Future Workshop Schedule	Originator:	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A		
SUMMARY STATEMENT: The Mayor has five workshops that he would like to schedule in January. Please bring your calendar so we can pick dates that work for the council.		

TAB - C

LONG BEACH CITY COUNCIL MEETING

December 21, 2015

CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Andrew called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance and roll call.

ROLL CALL

David Glasson, City Administrator, called roll with Mayor Andrew, C. Murry, C. Perez, C. Phillips, C. Linhart and C. Hanson all present.

CONSENT AGENDA

Minutes, December 7, 2015 Regular City Council Meeting.

Payment Approval List for Warrant Registers 55941- 55978 & 79051 - 79107 for \$230,817.13

C. Linhart made the motion to approve Consent Agenda and C. Phillips seconded the motion. 5 Ayes, motion passed.

BUSINESS

AB 15-67 Public Hearing – Public Participation Plan for Comp Plan

David Glasson, City Administrator, presented the Agenda Bill. The GMA now requires all Comprehensive Plans to include a Public Participation Plan. No Public Comment was made. **C. Phillips made the motion to conduct a public hearing and adopt Ordinance No. 924; C. Linhart seconded the motion. 5 Ayes, motion passed.**

AB 15-68 Contract for A & E Services – Project Safe Haven

David Glasson, City Administrator, presented the Agenda Bill. The City Attorney drafted a new professional services contract, vetted by the Administrator, the Community Development Director, and the Council. Staff has combined these efforts into a single A&E Agreement., which has taken several months and a toll on the project schedule.

C. Linhart made the motion to authorize the Mayor to execute the contract with PND Engineering to initiate work on the Safe Haven Project; C. Murry seconded the motion. 5 Ayes, motion passed.

AB 15-69 Brigid Byrne Property Donation Decision

David Glasson, City Administrator, presented the Agenda Bill. Mrs. Byrne approached the city with an offer to donate three lots of her plat if the city would purchase the 4th lot from the Stirling family.

C. Murry made the motion to DISAPPROVE AB 15-69; C. Phillips seconded the motion. 5 Ayes, motion passed.

AB 15-70 Water, Sewer, Storm Water Rate Ordinance #925

David Glasson, City Administrator, presented the Agenda Bill. Increasing the Water rates 2%, Sewer Rates 6% and Storm Water rates 10%.

C. Hanson made the motion to Adopt Ordinance #925 and C. Linhart seconded the motion. 4 Ayes, 1 Nay, motion passed.

Mayor

ATTEST:

City Clerk

Number	Name	Print Date	Cleared Date	Amount
56004	Teamsters Local #58	12/4/2015		\$190.00
79108	Bonney, Matt	12/28/2015		\$48.76
79109	Eilyson, Sue	12/28/2015		\$46.75
79110	Hoover, Brandon	12/28/2015		\$70.00
79111	At&t Mobility	12/28/2015		\$100.43
79112	Department of Licensing - Firearms Section	12/28/2015		\$18.00
79113	DMCJA	12/28/2015		\$187.00
79114	First American Title	12/28/2015		\$102.50
79115	KEYBANK	12/28/2015		\$10,254.25
79116	Association of WA Cities	12/30/2015		\$540.90
79117	Long Beach Firefighter's Foundation	12/30/2015		\$20,000.00
79118	All Safe Mini Storage	12/31/2015		\$190.00
79119	AlSCO-American Linen Div.	12/31/2015		\$66.16
79120	Astoria Janitor & Paper Supply	12/31/2015		\$593.67
79121	Backflow Management Inc	12/31/2015		\$1,500.00
79122	Cartomation, Inc	12/31/2015		\$1,000.00
79123	Cascade Columbia Distribution CO	12/31/2015		\$2,802.05
79124	CRUISE MASTER PRISMS	12/31/2015		\$107.65
79125	EverBank	12/31/2015		\$231.48
79126	Evergreen Septic Pumping LLC	12/31/2015		\$1,368.98
79127	Ford Electric	12/31/2015		\$107.90
79128	GE Analytical Instruments, Inc	12/31/2015		\$5,818.00
79129	Global Environmental Products	12/31/2015		\$811.00
79130	H. D. FOWLER	12/31/2015		\$3,807.59
79131	Pacific County Auditor	12/31/2015		\$33.00
79132	Porter Foster Rorick LLP	12/31/2015		\$1,216.00
79133	Postmaster	12/31/2015		\$317.68
79134	Public Utility District 2	12/31/2015		\$8,891.42
79135	Standard Insurance Co.	12/31/2015		\$2,811.13
79136	STAPLES ADVANTAGE	12/31/2015		\$532.61
79137	Usa Blue Book	12/31/2015		\$108.20
79138	Verizon Wireless	12/31/2015		\$138.03
79139	Zee Medical Service Co.	12/31/2015		\$593.99
	Total		Check	\$145,100.38
	Grand Total			\$165,692.58

TAB - D



**CITY COUNCIL
AGENDA BILL
AB 16-01**

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION

***SUBJECT: Agreement
with Washington State
Transportation
Improvement Board***

Originator:

Mayor

City Council

City Administrator

DG

City Attorney

City Clerk/Treasurer

City Engineer

Community Development Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

COST: \$9,557

Water/Wastewater Supervisor

Other:

SUMMARY STATEMENT: The City applied to the Transportation improvement Board, seeking money to pave streets in 2016. TIB has approved the request and has sent this agreement for signature.

RECOMMENDED ACTION: Authorize the Mayor and Staff to sign the agreement.

Small City Preservation Program (SCPP)

Approved Segment Listing

FY 2017 Overlay Program

LONG BEACH

Street	Termini	Pavement Length	Pavement Width
13th Street S	Ocean Beach Boulevard to Pacific Avenue	450 feet	22 feet
17th Street S	Ocean Beach Boulevard to Pacific Avenue	450 feet	22 feet
3rd Street S	Pacific Avenue to mid-block east	250 feet	22 feet
3rd Street S	Washington Avenue to east city limits	250 feet	22 feet
3rd SW	Ocean Beach Boulevard to Pacific Avenue	250 feet	22 feet



amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:



12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.

TAB - E



**CITY COUNCIL
AGENDA BILL**

AB 16-02

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION

SUBJECT: Council Member Replacement Process	Originator:	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk/Treasurer	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		

SUMMARY STATEMENT:

RCW 35A.12.065

Pro tempore appointments.

Biennially at the first meeting of a new council, or periodically, the members thereof, by majority vote, may designate one of their number as mayor pro tempore or deputy mayor for such period as the council may specify, to serve in the absence or temporary disability of the mayor; or, in lieu thereof, the council may, as the need may arise, appoint any qualified person to serve as mayor pro tempore in the absence or temporary disability of the mayor. In the event of the extended excused absence or disability of a councilmember, the remaining members by majority vote may appoint a councilmember pro tempore to serve during the absence or disability.

RECOMMENDED ACTION: Select a Mayor Pro Tem

TAB — F



**CITY COUNCIL
AGENDA BILL
AB 16-03**

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION

***SUBJECT: Council
Member Replacement
Process***

Originator:

Mayor

City Council

City Administrator

DG

City Attorney

City Clerk/Treasurer

City Engineer

Community Development Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

COST: N/A

Water/Wastewater Supervisor

Other:

SUMMARY STATEMENT: Attached is an article from Municipal Research and Services Center regarding the process to fill a council vacancy.

RECOMMENDED ACTION: Establish a process to select the next council member.

What process should be followed to make the actual appointment? Must the vacancy be advertised? Are applications required? Must the council interview candidates? The answer is that there is no process required by state law. So, what process is used is up to each city or town council. A council could, if it so chooses, just appoint the first qualified person who comes in the door. In my experience, though, most councils advertise that there is a vacancy, and they ask interested persons to either fill out an application or write a letter of interest to the council for consideration. Typically, the council will then interview candidates in an open session, as required by the Open Public Meetings Act, before making the appointment. (The council may, however, evaluate the qualifications of candidates in an executive session. RCW 42.30.110 ([\(http://apps.leg.wa.gov/rcw/default.aspx?cite=42.30.110\)](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.30.110))(1)(h)). The vote to fill the vacancy must be in open session. For one example of how a city council might proceed, see Bothell City Council Protocol Manual, [Section 12.02 \(/Corporate/media/MediaLibrary/SampleDocuments/PolicyProcedures/B67ccprotocol.pdf#page=76\)](#).

One final note: the person appointed to fill the vacancy must now obtain open government training (open public meetings and public records) within 90 days of assuming office. RCW 42.30.205 (<http://apps.leg.wa.gov/rcw/default.aspx?cite=42.30.205>).



About Paul Sullivan

Paul has worked with local governments since 1974 and has authored MRSC publications on local elections, ordinances, and general local government operation. He also provides training on the Open Public Meetings Act. [VIEW ALL POSTS BY PAUL SULLIVAN ▶ \(/Home/Stay-Informed/MRSC-Insight.aspx?aid=104\)](#)

Comments

0 comments on Filling a Vacancy in a City or Town Council

Blog post currently doesn't have any comments.

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TAB – G



**CITY COUNCIL
AGENDA BILL
AB 16-04**

Meeting Date: January 4, 2016

AGENDA ITEM INFORMATION		
SUBJECT: Council Rules	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk/Treasurer	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A	Other:	
SUMMARY STATEMENT: Mayor Phillips would like to move the public comment section up toward the front of the council agenda, so the policies would need to be adjusted to address that change.		
RECOMMENDED ACTION: Adopt Resolution 2016-1		

Section 3 COUNCIL MEETINGS

- 3.1 Regular meetings of the Council will be held the first and third Monday of each month at 7:00 p.m. and at such other additional dates and times as the Council shall determine. Unless otherwise provided, regular meetings shall be held at the Long Beach City Hall.
- 3.2 At the first regular City Council meeting in January following the election, the City Council shall select a Mayor Pro Tempore who will fill in for the Mayor when absent. This includes Council Meetings, ceremonial functions the Mayor would attend, other functions calling for the attendance of the Mayor and the signing of documents in the absence of the mayor. No other duties or responsibilities of the Mayor will be performed by the Mayor Pro Tempore.
- 3.3 Time and date of the regular Council meetings may be changed for special circumstances, to facilitate work sessions or in order to have a quorum of Councilors at the meeting. Regular meeting notice requirements must be followed.
- 3.4 Special meetings of the Council may be called at any time by the mayor or any three (3) members of the council by written notice delivered to each member of the council, the city clerk and the city administrator at least twenty four (24) hours before the time specified for the proposed meeting.
- 3.5 An emergency meeting of the Council is a Special Meeting which can be called when less than 24 hours notice can be given. The minutes need to state the nature of the emergency. Emergency meetings may be held by consent of a majority of councilors. An attempt must be made to notify the public or the press of the need for this emergency meeting. Only the emergency matter(s) giving rise to the need for an emergency meeting may be considered.
- 3.6 Workshop or Training meetings of the Council may be held at the convenience of the Council at a time when as many as possible can attend. These meetings may be held for Council goal setting, new Councilor training, or longer workshops for planning programs or projects. The Council may decide if public input is allowed at a workshop, or it may be held without opportunity for public input.
- 3.7 Executive sessions may be held by the Council pursuant to Washington State laws. Staff members may be permitted to attend. The City Administrator is required to attend.

- Open Regular Meeting with Call to Order, Pledge of Allegiance and Roll Call
- Public Comments
- Consent Calendar
- Business
- Oral Reports
- Correspondence and Written Reports
- Future City Council Meeting Schedule
- Adjournment
- Note – If required, an Executive Session can be placed on the City Council Agenda, but must be done prior to the meeting.

The Chair may consider agenda items out of order as he/she deems necessary to facilitate the efficient management of the agenda. A Council Member may request the Chair consider the same action for an agenda item.

Section 5 PROCEDURE FOR COUNCIL MEETINGS

- 5.1 The current edition of Robert's Rules of Order Revised shall be used as a general guide for conduct of Council meetings, except in those cases where specific provisions contrary to Robert's rules shall be necessary and approved by the Council.
- 5.2 The City Council agrees to be clear and simple in its procedures and considerations of decisions before it. The Council shall avoid invoking the finer points of parliamentary rules to obscure issues and arouse audience suspicion at public meetings.
- 5.3 Council Meetings shall be chaired by the Mayor, if present, if not; the Council Mayor Pro Tempore shall serve as Chair. If neither the Mayor nor the Council Mayor Pro Tempore is present, the City Administrator shall call the meeting to order and those Council members present shall elect a Chair pro tem for that meeting. At any meeting, the Chair may appoint another member of the Council to serve as Chair for part or all of the meeting.
- 5.4 Every Councilor desiring to speak should first address the Chair, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Chair.
- 5.5 No motion shall be debated, except by the maker, until it has been seconded and announced by the Presiding Officer.

- 5.15 Conflicts of Interest: In every case in which a Councilor is faced with an actual conflict of interest, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the nature of the conflict, shall remove him or herself from the Council table and refrain from participation in both the discussion and the vote on the issue.
- A. An actual conflict of interest is defined as any action, decision, or recommendation which will have a private pecuniary benefit on the Councilor or allow the Councilor to avoid a private pecuniary detriment. This standard also applies to relatives of the Council or any business with which the Councilor or Councilor's relative is associated. (Chapter 42.23 RCW).
 - B. "Remote Interests" (Chapter 42.23.040 RCW) "A municipal officer is not interested in a contract, within the meaning of RCW 42.23.030, if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest."
- 5.15 The vote on every motion shall be taken by a show of hands or roll call and entered in the meeting minutes. Any other questions before Council shall not require a recorded vote unless requested by any Council member. A member's explanation of their vote shall not be in order during a roll call.
- 5.16 A motion fails in the event of a tie vote. When the Mayor is present and presiding over the council meeting, if there is a tie in the votes of the council members with respect to issues other than the passage of any ordinance, grant, or revocation of a franchise or license, or any resolution for the payment of money, the Mayor may vote to break the tie.
- 5.17 A Councilor who votes on the prevailing side of a motion may move for reconsideration of any vote. This motion must occur during the meeting or at the very next scheduled Council meeting.

Section 6 DECORUM AND ORDER

- 6.1 The Chair shall preserve decorum and decide all points of Order, subject to appeal to the Council.

regard to race, national origin, sex, age, social station, or economic position.

- 7.3 If the Mayor or Councilor represents the City before another public body, governmental agency, community organization or with the media, the Mayor or Councilor should always present the majority position of the Council. Personal opinions and comments may be expressed only if it includes clarification that these statements do not represent the position of the City Council. Communication of personal opinions and comments should not be accompanied with a statement of the author's status as a member of the Council.

Section 8 COUNCIL RELATIONS WITH CITY STAFF

- 8.1 Orientation of New Members - It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Administrator and City Clerk will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected official orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.
- 8.2 There will be mutual respect from both Councilors and staff of their respective roles and responsibilities when and if expressing criticism in a public meeting.
- 8.3 The Council sets city policies and goals. The staff implements and administers the policies and goals.
- 8.4 During a City Council meeting, all requests for information go directly to the Mayor, Chair or City Administrator. At other times, if the request for information would entail an effort that would require time to be spent in researching and/or preparing a response, the request goes directly to the Mayor or City Administrator. The Mayor will ask the City Administrator to direct them to other staff, the City Attorney or deal with them him/herself as appropriate. Questions or complaints regarding staff go directly to the Mayor or City Administrator.
- 8.5 The City Councilors may seek information from staff members regarding the operation of their department, but will not attempt to change or interfere with the operation or practice of any city department or personnel except by directing their concerns to the Mayor or City Administrator.

- 10.2 If the Council, in executive session, provides opinions or information to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, a proposed, pending or likely claim or litigation, and/or employee negotiations, all contact with the other parties shall be made by the designated staff representative handling the negotiations or litigation. A Councilor shall not have any contact or discussion with the other party, or the representatives involved with the issue, nor communicate any discussion conducted in executive session.
- 10.3 All public statements, information, or press releases on confidential matters will be handled by the Council Spokesperson or designated staff.

Section 11 SUSPENSION OR AMENDMENT OF COUNCIL RULES

- 11.1 Any provision of these rules not governed by State law or the City Charter may be temporarily suspended by a majority vote of the Council.
- 11.2 Amendments, deletions or additions to these Council Rules shall be by Resolution approved by the City Council.

Section 12 SEVERABILITY

The Councilors agree that if any term or provision of the rules is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the rules did not contain the particular term or provision held to be invalid.

Adopted this 4th Day of January, 2016.

AYES

NAYS

ABSENT

MAYOR
Jerry Phillips

ATTEST:

City Clerk

TAB — H

Sales Tax Collections

